IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 18649 of 2007(T)

PETITIONERS:

----

1. **SATHIAN K.T., AGED 43 YEARS, S/O.CHOYAN, RESIDING AT K.T.HOUSE, KILUR P.O., MELADY, KOZHIKODE, WORKING AS JUNIOR HEALTH INSPECTOR GRADE-II, KOZHIKODE MUNICIPAL CORPORATION.**

2. **KHALID V.,AGED 34 YEARS, S/O.ALI, RESIDING AT VELUTHARAMBATH HOUSE, EAST PAINGOTTUPURAM, KUNNAMANGALAM P.O., WORKING AS JUNIOR HEALTH INSPECTOR GRADE-II, KOZHIKODE MUNICIPAL CORPORATION.**

3. **JEEVARAJ, AGED 37 YEARS,S/O.K.V.SANKARAN RESIDING AT SREEVIHAR, PANTHALAYANI, KOILANDY P.O. KOZHIKODE, WORKING AS JUNIOR HEALTH INSPECTOR GRADE-II, KOZHIKODE CORPORATION.**

4. **SUJAYAN K., AGED 37 YEARS, S/O.K.KUNHIRAMAN , RESIDING AT KIZHAKKAYIL HOUSE, P.O.THUVAKKUNNU, WORKING AS JUNIOR HEALTH INSPECTOR GRADE-II, KOZHIKODE PONNANI MUNICIPALITY**

5. **T.K.SATHEESHKUMAR, AGED 32 YEARS, S/O.T.K.KUNJUMON, RESIDING AT THERMADATHIL HOUSE, P.O.VELLERVALLY, PERAVOOR, WORKING AS JUNIOR HEALTH INSPECTOR GRADE-II, MATTANUR MUNICIPALITY.**

6. **K.SATHIAN,AGED 35 YEARS,S/O.KUNHIRAMAN, RESIDING AT KUZHICHALIL HOUSE, MUTHUKAD P.O., PERUVANNAMUZHI VIA, KOZHIKODE WORKING AS JUNIOR HEALTH INSPECTOR GRADE-II, KOZHIKODE MUNICIPAL CORPORATION.**

BY ADV. SRI.K.N.CHANDRABABU

..2/-

RESPONDENTS:
----

1. **STATE OF KERALA REPRESENTED BY SECRETARY LOCAL ADMINISTRATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE CORPORATION OF KOZHIKODE, REPRESENTED BY THE SECRETARY, CORPORATION OFFICE, KOZHIKODE.**

3. **THE MUNICIPALITY OF KANNUR, REPRESENTED BY SECRETARY, O/O.MUNICIPAL OFFICE, KANNUR DIST.**

4. **THE MUNICIPALITY OF MATTANNUR, REPRESENTED BY SECRETARY, O/O.MUNICIPAL OFFICE, MATTANNUR, KANNUR DIST.**

5. **THE DIRECTOR OF MUNICIPAL ADMINISTRATION, THIRUVANANTHAPURAM.**

6. **THE DEPUTY EXAMINER OF LOCAL FUND, CORPORATION OF KOZHIKODE.**

BY ADV. SRI.P.V.KUNHIKRISHNAN,SC,KOZHIKODE CORPN fior R2
SRI.K.K.CHANDRAN PILLAI, SC for R3

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 18649 of 2007

Dated this the 26th November, 2007

J U D G M E N T

Petitioners who had originally been appointed as Junior Health Inspectors Gr.II in the Department of Health Services later joined the Municipal Common Service in the same post. They claim protection of their pay under Rule 159 Part I of the K.S.R. According to the petitioners, the claim made by similarly situated persons was accepted by the Government, as evidenced by Exhibit-P2 order. Petitioners' claim is contained in Exhibits P6, P10, P15 and P18.

After having heard the learned Government Pleader also, this writ petition is disposed of directing the 1st respondent to consider Exhibits P6, P10, P15 and P18 and take a decision thereon, within two months from the date of receipt of a copy of this judgment. If petitioners' claim is found to be acceptable, consequential order shall also be issued.

(V.GIRI, JUDGE)

ma

K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007